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INTELLECTUAL PROPERTY LAW

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Attorney Docket No. :** DAVI105.001APC  
**Applicant(s) :** M. Graham  
**For :** CONTROL OF GENE EXPRESSION  
**Attorney :** Daniel E. Altman  
**"Express Mail"**  
**Mailing Label No. :** EL559437585  
**Date of Deposit :** September 20, 2000

I hereby certify that the accompanying

Transmittal in Duplicate; Specification in 73 pages; 68 sheets of drawings; Sequence Listing in 7 pages; Demand; IPER; Preliminary Amendment; Abstract of Int'l. Appl. as Published; PCT Form 402; PCT Form 308; Request; Check(s) for Filing Fee(s); Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Justin R. Stotts

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U.S. Application No.  
Pending

International Application No.  
PCT/AU99/00195

09/646807  
Attorney Docket No.  
DAVI105.001APC

Date: September 20, 2000

**COPY**

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**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371**

International Application No.: PCT/AU99/00195  
International Filing Date: March 19, 1999  
Priority Date Claimed: March 20, 1998  
Title of Invention: CONTROL OF GENE EXPRESSION  
Applicant(s) for DO/EO/US: Michael Wayne Graham

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. (X) This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. (X) This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).
3. (X) A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
4. (X) A copy of the International Application as filed (35 USC 371(c)(2)) has been transmitted by the International Bureau (copy of Form IB/308 attached).
5. (X) Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)) have not been made and will not be made.
6. (X) A copy of the International Preliminary Examination Report with any annexes thereto, such as any amendments made under PCT Article 34. The annexes include pages 74-77 received by the IPEA on 26 April 2000 and page 78 received by the IPEA on 27 June 2000.
7. (X) A **FIRST** preliminary amendment with attached Abstract of International Application as published.
8. (X) A copy of the International Application as published (minus original claims), including:
  - a. (X) Publication Cover Sheet.
  - b. (X) 73 pages of disclosure.
  - c. (X) 68 pages of drawings.
  - d. (X) Sequence listing in 7 pages.
  - e. (X) International Search Report.
9. (X) A return prepaid postcard.

U.S. Application No.  
Pending

International Application No.  
PCT/AU99/00195

Date: September 20, 2000

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Attorney Docket No.  
DAVI105.001APC  
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10. (X) The following fees are submitted:

FEES			
BASIC FEE			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	45 - 20 =	25 x	\$18 \$450
Independent Claims	5 - 3 =	2 x	\$78 \$156
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$1576</b>
<b>TOTAL NATIONAL FEE</b>			<b>\$1576</b>
<b>TOTAL FEES ENCLOSED</b>			<b>\$970</b>

11. (X) The fee for later submission of the signed oath or declaration set forth in 37 CFR 1.492(e) will be paid upon submission of the declaration.

12. (X) A check in the amount of \$970 to cover the basic fee only is enclosed. Please do not charge any excess claims fees to our deposit account at this time. Any such required fees will be paid upon submission of the declaration.

13. (X) The Commissioner is hereby authorized to charge only those additional fees which may be required, now or in the future, to avoid abandonment of the application, or credit any overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

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